



Winston H. Hickox
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State Water Resources Control Board

Division of Water Rights
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Division of Water Rights: <http://www.waterrights.ca.gov>



Gray Davis
Governor

NOTICE OF APPLICATION OF EL DORADO IRRIGATION DISTRICT REQUESTING APPROVAL OF A TEMPORARY PERMIT ALDER CREEK DIVERSION APPLICATION 31430

Notice is hereby given that on May 29, 2003

El Dorado Irrigation District
c/o Mark Korkowski
2890 Mosquito Road
Placerville, CA 95667

filed an application with the State Water Resources Control Board (SWRCB) requesting approval of a Temporary Permit pursuant to Water Code section 1425. The applicant proposes to divert 2.75 cubic feet per second from Alder Creek beginning on June 15, 2003 and ending on June 30, 2003 for maintaining flow through the Alder Creek siphon and limited consumptive use and fire protection at the Mill Creek to Tunnel Creek construction site. This appropriation is needed during the period when El Dorado Irrigation District (EID) is repairing up-canal sections of its El Dorado Canal flumes. The point of diversion (POD) will be from an existing POD and facilities on Alder Creek, which EID constructed and operates under License 2543 (Application 6383). The petitioner asserts that granting this temporary permit would protect the environment in general, as well as conserve fishery and water resources in general. The applicant will limit diversions to less than 20 percent of the flow in Alder Creek. The documents found at www.waterrights.ca.gov, Application and Petition Program explain the justification for the permit.

Due to the urgent circumstances outlined in the application, the Chief of the Division of Water Rights (Division) plans to approve the temporary application for the diversion period above and issue a permit. A copy of the temporary permit will be posted on the Division website upon issuance.

CEQA COMPLIANCE

EID is Lead Agency under the provisions of the California Environmental Quality Act (CEQA). EID completed a Notice of Exemption dated May 29, 2003. The SWRCB plans to issue a Notice of Determination for the proposed temporary permit.

The comment period for this notice expires at 12:00 p.m. on the 20th day after issuance of this notice. For further information regarding this application, please visit our website at www.waterrights.ca.gov, Application and Petition Program or telephone Terry Snyder at (916) 341-5385. Comments, objections, and/or recommendation regarding this project may be mailed to Terry Snyder, Division of Water Rights, P.O. Box 2000, Sacramento, CA 95812-2000 or via email at tsnyder@waterrights.swrcb.ca.gov.

SWRCB'S STATUTORY PROVISIONS

Pursuant to Water Code section 1425 et seq., the SWRCB is authorized to issue temporary permits to divert and use water. The SWRCB may issue a temporary permit after it makes the following findings:

1. The applicant has an urgent need for the water proposed to be diverted and used;
2. The water may be diverted and used without injury to any other lawful user of water;
3. The water may be diverted and used without unreasonable effect upon fish, wildlife, or other instream beneficial uses; and
4. The proposed diversion and use are in the public interest, including findings to support permit conditions imposed to ensure that the water is diverted and used in the public interest, without injury to any other lawful user of the water, and without unreasonable effect upon fish, wildlife, or other instream beneficial uses.

Temporary permits authorized under section 1425 et seq. expire 180 days after the date of issuance, unless an earlier date is specified after which they may be renewed upon request of the applicant if they still meet the above criteria.

Pursuant to the requirements of section 1425 above, the SWRCB is seeking information to assist in the evaluation of the proposed temporary permit. Any person may file comments and objections concerning EID's application to divert and use water. The materials must address the issues that the SWRCB must evaluate, as set forth above. If the SWRCB cannot satisfy, in a timely manner, the provisions of section 1425 et seq., then the SWRCB may schedule and notice a hearing regarding the temporary permit. Based on the information currently available to the SWRCB, and if all the provisions of section 1425 listed above are initially satisfied, the SWRCB may issue an order approving the proposed temporary permit before the comments are due from any interested parties. Any approval issued before or after the comment period has ended may be revised or withdrawn if there is good cause.

Materials filed in response to this notice **shall be mailed to the parties at the addresses listed below.** The response **must be received** in the office of the SWRCB's Division of Water Rights, at the address listed below by **12:00 p.m. on the 20th day after the date of this notice.** Interested parties are encouraged to file comments, etc., by FAX or Email and to notify the following contact persons by telephone of any materials that will be submitted. However, an original copy of all materials **must** be received within 25 days after the date of the notice for the SWRCB to consider your concerns.

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EDWARD C. ANTON
Division Chief

Dated: June 13, 2003